

*support of programs administered or supported by the Texas Space Commission. Fees deposited under this subsection are supplementary and are not income for purposes of reducing general revenue appropriations to the Texas Space Commission in the General Appropriations Act.*

*(g) The department shall deposit the remainder of each fee collected under this section, after deposit as provided by Subsection (f) of this section, in the state treasury to the credit of the state highway fund to be used only to defray the cost of administering this section.*

*(h) If license plates issued under this section are lost, stolen, or mutilated, the owner of the vehicle for which the plates were issued may obtain replacement plates from the department by paying a replacement fee of \$5. If the owner of a vehicle for which plates are issued under this section disposes of the vehicle during a registration year, the person shall return the special license plates to the department.*

*(i) There is no limit to the number of passenger cars and light commercial motor vehicles for which a person may apply for the issuance of license plates under this section.*

SECTION 2. This Act takes effect September 1, 1991.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 7, 1991, by a non-record vote; passed by the Senate on May 21, 1991, by a viva-voce vote.

Filed without signature June 16, 1991.

Effective September 1, 1991.

## CHAPTER 802

### H.B. No. 1719

#### AN ACT

relating to the conveyance of certain state-owned real property in Travis County by the State Purchasing and General Services Commission; making an appropriation.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. POLICY STATEMENT. The legislature finds and declares it to be the public policy of this state that the conveyance by the state of the property described in Section 3 of this Act to a member of the private sector for commercial or retail use development will increase employment opportunities, contribute to economic development, and otherwise benefit the residents of the surrounding community.

SECTION 2. AUTHORIZATION FOR CONVEYANCE. (a) The State Purchasing and General Services Commission may sell, convey, or exchange, on behalf of the Texas Public Finance Authority, all of the interest of the state in the real property described by Section 3 of this Act to Bennett Consolidated, a California corporation, or its successors and assigns.

(b) No action resulting from this legislation may be detrimental to the security interest of the holders of the Series 1987 Texas Public Finance Authority Building Revenue Bonds.

(c) The conveyance authorized by this section must be for a cash consideration, a conveyance of other improved real property to the state in an exchange transaction, or both, and under terms and conditions negotiated in a purchase and sale agreement between the parties. The total consideration must be in an amount not less than the fair market value of the property described in Section 3 of this Act, as determined by an appraisal performed by the General Land Office. Real property acquired by the state, if

any, in consideration for the conveyance authorized by this section must be appraised by an appraiser employed by the General Land Office and must have improvements and a location suitable to use by the State Purchasing and General Services Commission in a manner similar to its use of the property described in Section 3 of this Act.

(d) The conveyance authorized by this section and the acquisition, if any, of real property by the state in an exchange transaction must be completed by transfer of special warranty deeds. The State Purchasing and General Services Commission may impose reasonable restrictions on the conveyance authorized by this Act to further the public policy stated in Section 1 of this Act. Any expenses incurred by either party shall be borne by that party.

(e) The authorization given to the State Purchasing and General Services Commission by this Act expires June 1, 1993, unless a purchase and sale transaction authorized by this Act has closed on or before that date and post-closing requirements remain to be completed.

(f) Section 31.158, Natural Resources Code, does not apply to the conveyance authorized by this section.

**SECTION 3. PROPERTY DESCRIPTION.** The real property authorized for conveyance by Section 1 of this Act is all of that certain tract or parcel of land located in Travis County, Texas, described in a warranty deed dated March 24, 1988, executed by Safeway Stores 39, Inc., as grantor, to the State of Texas, as grantee, and recorded in Volume 10634, Page 613, Real Property Records, Travis County, Texas, and being more particularly described as follows:

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE SUBDIVISION OF OUTLOT NO. 55 IN DIVISION B IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, PLATTED MAY 7, 1875 BY DIRECTION OF GEORGE L. ROBERTSON, RECORDED IN VOL. Z, PG. 599 OF THE DEED OF RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING THAT CERTAIN TRACT DESCRIBED IN DEED CONVEYED TO J. C. RUBY AND JOE M. TEAGUE, DATED FEB. 27, 1962 RECORDED IN VOL. 2416, PG. 172 OF THE TRAVIS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron disk found for an angle point of the east ROW line of Interregional Highway FOR A POINT OF REFERENCE;

THENCE N 18 degrees 47' 00" E, 21.04' with the east ROW line of Interregional Highway to an iron rod set for the southwest corner of said tract FOR THE POINT OF BEGINNING;

THENCE N 18 degrees 47' 00" E, 330.86' with the east ROW line of Interregional Highway to an iron rod set for the northwest corner of said tract;

THENCE N 80 degrees 30' 00" E, 229.30' with the south ROW line of East 12th St. and the north line of said tract to an iron rod set;

THENCE S 01 degrees 45' 00" W, 318.70' with the west ROW line of Branch St. same being the east line of said tract to an iron rod set for an angle point;

THENCE S 24 degrees 16' 00" W, 44.93' with the west ROW line of Branch St. same being the east line of said tract to an iron rod set for the southeast corner of said tract;

THENCE N 88 degrees 25' 00" W, 304.61' with the north line of Parcel A and the South line of Parcel I, as recorded in Vol. 3793 Pg. 1043 in the deed records of Travis County, Texas to the POINT OF BEGINNING, and containing in all 2.09 acres of land, more or less.

**SECTION 4. DISPOSITION OF PROCEEDS.** Cash proceeds of the conveyance authorized by Section 1 of this Act shall be deposited in the State Treasury in accordance with the provisions of pertinent bond documents. Such cash proceeds, if any, are appropriated for a period of two years, beginning on the date the proceeds become available, to the State Purchasing and General Services Commission for use in purchasing or constructing additional warehouse or office space. If the property described in Section 3 of this Act is exchanged for other real property, title to that property vests in the State

of Texas for the use and benefit of the State Purchasing and General Services Commission. If the property described in Section 3 of this Act is either sold and the proceeds used to purchase or construct additional warehouse or office space, or the property is exchanged for other real property, title to the newly-acquired property will be held by the Texas Public Finance Authority during the remaining life of the bond issue.

**SECTION 5. EMERGENCY.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 22, 1991: Yeas 142, Nays 5, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1719 on May 26, 1991, by a non-record vote; passed subject to the provisions of Article III, Section 49a, of the Constitution of the State of Texas; passed by the Senate, with amendments, on May 26, 1991: Yeas 31, Nays 0; passed subject to the provisions of Article III, Section 49a, of the Constitution of the State of Texas.

Filed without signature June 16, 1991.

Effective August 26, 1991, 90 days after date of adjournment.

## CHAPTER 803

### H.B. No. 1753

#### AN ACT

relating to the administration of the Van Zandt County Waste Disposal District.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 3.01(b), Chapter 1256, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

(b) *One director shall be elected from each of the four commissioners precincts in the county, and three directors shall be elected from the district at large* ~~[The directors shall be elected from the district at large]~~.

**SECTION 2.** Section 3.02, Chapter 1256, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

**Sec. 3.02. QUALIFICATIONS OF DIRECTORS.** (a) To serve as a director, a person must be:

- (1) at least 18 years old;
- (2) a qualified voter; and
- (3) a resident of the area within the boundaries of the district.

(b) *In addition to the qualifications required by Subsection (a) of this section, a person who is elected from a commissioners precinct or who is appointed to fill a vacancy for a commissioners precinct must be a resident of that commissioners precinct.*

(c) Each director must execute a bond in the amount of \$5,000 with a corporate surety authorized to do business in this state conditioned on the faithful performance of the director's duties.

**SECTION 3.** Section 3.03, Chapter 1256, Acts of the 71st Legislature, Regular Session, 1989, is amended to read as follows:

**Sec. 3.03. TERM OF OFFICE.** ~~A [Except for the initial directors elected under Article II of this Act, a] director holds office for a term of four [three] years and serves until the director's successor is elected and has qualified.~~

**SECTION 4.** Article III, Chapter 1256, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Section 3.03A to read as follows: